

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ZACHARY GIAMBALVO, JOHN MOUGIOS,
SHANE MASHKOW, KEVIN MCLAUGHLIN,
MICHAEL MCGREGOR, FRANK MELLONI,
and RENAISSANCE FIREARMS INSTRUCTION,
INC., and all similarly situated individuals,

Plaintiffs,

22 Civ. 04778 (GRB)(ST)

-against-

SUFFOLK COUNTY, New York,
Police Commissioner RODNEY HARRISON,
in his Official Capacity, MICHAEL
KOMOROWSKI, Individually, ERIC BOWEN,
Individually, WILLIAM SCRIMA, Individually,
WILLIAM WALSH, Individually, THOMAS
CARPENTER, Individually, JOHN DOES
1-5, Individually and JANE DOES 1-5,
Individually,

Defendants.

**DECLARATION OF
KEVIN MCLAUGHLIN**

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KEVIN MCLAUGHLIN, declares pursuant to 28 U.S.C. § 1746 that:

1. I am a plaintiff in the above-captioned matter. I make this Declaration of my own personal knowledge and if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I submit this Declaration in support of Plaintiffs' application to preliminarily and permanently enjoin enforcement of policies and procedures of the Suffolk County Police Department and certain state statutes that are violating my right to purchase, possess, and carry a handgun for self-protection.

3. I am a resident of Suffolk County and a U.S. Marine reservist. I have no prohibitors under state or federal law to the purchase, receipt, possession, or transfer of firearms. As soon as I am legally able, I intend to purchase, possess, and carry a handgun for self-defense.

4. In 2022, I visited the SCPD website to obtain an application and learn about the process for obtaining a New York State handgun license. I printed out and completed the application, which was called the Applicant Questionnaire, and submitted it with the \$10 application fee made payable to “SCPD” on July 1, 2022.

5. I contacted the Licensing Bureau around August 2022 to see how long it would be before I would be called in to be fingerprinted. The Licensing Bureau told me that I would not be called in to be fingerprinted for *approximately 3 years – in and around July 2025*. If the State is not going to comply with constitutional carry, then any licensing process that takes more than 30 days should be enjoined as violating the Second Amendment. Every purchase of a firearm in New York goes through an FFL; a background check is done on the spot. If the individual is disqualified, the sale is denied. If not, the sale is approved. The process takes less than 15 minutes. There is no reason why the SCPD licensing process needs to take so long.

6. If I have the information from SCPD to obtain my own unsuppressed fingerprint based criminal history report from the Division of Criminal Justice Services, I would submit the report, a completed PPB-3 application, and the 2 required photographs to SCPD immediately. As SCPD does not provide its ORI number and will not accept the PPB-3 upon presentment.

7. While I object to all of the regulations enacted under the Concealed Carry Improvement Act, which did nothing to ‘improve’ the right to carry a handgun, I make specific mention of the 18-hour training requirement. As a U.S. Marine reservist, I have extensive firearms training and will not spend money and time to attend the 18-hour training course. Protecting myself with a handgun is a guaranteed right and cannot be conditioned on or delayed by such a regulation,

nor should I be forced to spend hundreds of dollars to simply exercise that right.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 28, 2022

Kevin McLaughlin